

## Message Text

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FM AMEMBASSY WARSAW

TO SECSTATE WASHDC IMMEDIATE 4129

C O N F I D E N T I A L WARSAW 6896

E.O. 11652: GDS

TAGS: ETRD, EINV, PL

SUBJECT: POLISH DESIRE TO SIGN "PROTOCOL" WITH SBA

ADMINISTRATOR KOBELINSKI

1. SBA ADMINISTRATOR KOBELINSKI HAS GIVEN US THE TEXT OF A "PROTOCOL" WHICH DEPTY PREMIER PYKA HAS PROPOSED FOR SIGNATURE TOMORROW AFTERNOON, SEPTEMBER 25. THIS DOCUMENT IS DESIGNED TO CLARIFY AND FORMALIZE ARRANGEMENTS UNDER WHICH THE SBA WILL COOPERATE WITH THE POLES IN ENCOURAGING BUSINESS CONTACTS BETWEEN THE US AND POLISH FIRMS.

2. KOBELINSKI WOULD LIKE TO SIGN THIS DOCUMENT. THE EMBASSY HAS NO PROBLEM WITH ITS SUBSTANCE AND IN FACT SEES SOME MERIT IN RECORDING ON PAPER SOME OF THE COMMITMENTS THE POLES ARE PREPARED TO MAKE IN THE FIELD OF COOPERATION. WHAT WE ARE NOT SURE OF, HOWEVER, ARE THE LEGAL IMPLICATIONS OF SIGNING SUCH A "PROTOCOL". IS MR. KOBELINSKI AUTHORIZED TO MAKE THESE COMMITMENTS ON BEHALF OF THE USG? IS THIS THE PROPER FORM FOR CODIFYING USG-GOP COOPERATION IN THIS FIELD? WOULD IT BE BETTER TO CALL THIS DOCUMENT A SIMPLE MEMORANDUM OF MR. KOBELINSKI'S VISIT TO POLAND?

3. KOBELINSKI HIMSELF IS NOT SURE ABOUT THESE MATTERS AND HAS AGREED TO GETTING WASHINGTON APPROVAL BEFORE AGREEING TO THE SIGNING CEREMONY. WHETHER THE ANSWER IS STOP OR GO, EMBASSY NEEDS GUIDANCE BY OPENING OF BUSINESS HERE TOMORROW MORNING.

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4. FOLLOWING IS INFORMAL EMBASSY TRANSLATION OF PROPOSED POLISH TEXT: PROTOCOL MINUTES ON TALKS HELD ON SEPTEMBER 23-25, 1976, IN WARSAW, BETWEEN THE SECRETARY OF THE SMALL BUSINESS ADMINISTRATION OF THE UNITED STATES OF AMERICA, MR. MITCHELL P. KOBELINSKI, AND THE MINISTER OF INTERNAL TRADE AND SERVICES OF THE POLISH PEOPLE'S REPUBLIC, MR. JERZY GAWRYSIAK.

REFERRING TO THE INCRESINGLY CLOSE COOPERATION BETWEEN THE UNITED STATES OF AMERICA AND THE POLISH PEOPLE'S REPUBLIC AS A RESULT OF TALKS HELD BETWEEN MR. PRESIDENT GERALD FORD AND MR. FIRST SECRETARY OF THE POLISH UNITED WORKERS' PARTY EDWARD GIEREK DURING THE RECIPROCAL VISITS IN POLAND AND THE UNITED STATES, MR. KOBELINSKI AND MR. GAWRYSIAK SEE THE POSSIBILITY OF EXTENDING THIS COOPERATION TO THE FIELD OF SMALL INDUSTRY AND TRADE.

A. THIS COOPERATION SHOULD INVOLVE THE FOLLOWING FIELDS:

--THE JOINT ERECTION AND ASSEMBLY OF SMALL INDUSTRIAL PRODUCTION PLANTS FOR THIRD COUNTRIES

--COOPERATION ON THE PRODUCTION OF ARTICLES ASSEMBLED ON THE TERRAIN OF THE U.S. AND POLAND, AND SOLD TO THIRD MARKETS

--CREATION OF JOINT ENTERPRISES IN THE U.S. AND POLAND FOR THE REALIZATION OF THE ABOVE-MENTIONED OBJECTIVES

--SUPPLYING SMALL INDUSTRY IN POLAND WITH A VARIETY OF SPECIALIZED MACHINERY, TECHNOLOGICAL LINES AND FITTINGS, WITH THE REPAYMENT IN DELIVERIES OF MANUFACTURED PRODUCTS

--SUPPLYING SMALL INDUSTRY IN POLAND WITH LICENSES AND TECHNOLOGY IN THE FIELD OF SMALL-SCALE PRODUCTION, THE TERMS OF REPAYMENT BEING FINISHED PRODUCTS.

B. THE POLISH SIDE WILL CONTINUE TO SUPPLEMENT THE DETAILED PROPOSALS OF COOPERATION WHICH HAVE BEEN ALREADY CONVEYED TO THE AMERICAN SIDE WITHIN THE RANGE PRESENTED ABOVE.

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C. THE AMERICAN SIDE WILL TRANSMIT THE PROPOSALS OF THE POLISH SIDE TO INTERESTED AMERICAN FIRMS, ENCOURAGING THE NECESSARY CONTACTS FOR DETAILED DETERMINATION OF FORMS AND SCOPE OF COOPERATION.

D. BOTH PARTIES WILL UNDERTAKE OTHER FORMS OF EXCHANGE OF EXPERIENCES AND ACTIVITIES IN SUPPORT OF THE PROPAGATION AND PROMOTION OF THIS COOPERATION.

E. THE POLISH SIDE CHARGES THE CENTRAL UNION OF COOPERATIVE WORK WITH THE RESPONSIBILITY FOR REALIZATION OF COOPERATION IN THE FIELD OF SMALL INDUSTRY.

F. THE PARTIES WILL EXAMINE THE POSSIBILITY OF A WIDER EXCHANGE OF MARKET GOODS BETWEEN THE ORGANIZATIONS OF DEPARTMENT STORES IN POLAND AND THE UNITED STATES. END OF TEXT

5. IN ADDITION TO THE ABOVE, MR. KOBELINSKI HAS PROPOSED, AND THE POLES HAVE AGREED, TO INSERT A PARAGRAPH ENCOURAGING GREATER US COOPERATION DESIGNED TO ENCOURAGE PRIVATE BUSINESS IN POLAND. (COMMENT: THIS COULD TURN OUT TO BE THE MOST SIGNIFICANT ASPECT OF THIS DOCUMENT. END COMMENT)

6. IN ADDITION TO QUESTIONS IN PARA 2 ABOVE, SHOULD US SIDE PROPOSE SBA AS PRIMARY AMERICAN AGENCY TO CORRESPOND WITH THE CENTRAL UNION OF COOPERATIVE WORK CITED IN PARA 4E ABOVE?  
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